

Minutes of a meeting of the **CABINET** held in the Council Chamber, Council Offices, Priory Road, Spalding, on Tuesday, 3 December 2019 at 10.00 am.

PRESENT

G A Porter (Leader)
C N Worth (Deputy Leader)
G J Taylor (Deputy Leader)

T A Carter
A Casson

P E Coupland
R Gambba-Jones

C J Lawton

Cabinet Support Members: Councillor H Drury, Councillor R Grocock and Councillor J D McLean.

The Chief Executive, the Executive Director Commercialisation (S151), the Executive Director Strategy and Governance (Monitoring Officer), the Executive Director Place, the Place Manager, the Housing Landlord Manager, the Environmental Services Manager, the Corporate Innovation, Change and Performance Manager, the Senior Business Intelligence Officer, the Housing Repairs Manager, the Head of Revenues and Benefits, the Recovery and Support Team Leader and the Democratic Services Officer.

Apologies for absence were received from or on behalf of Councillors A M Newton and A R Woolf, together with Welland Seniors Forum and Parish Councils.

	<u>Action By</u>
<p>51. MINUTES</p> <p>The minutes of the Cabinet meeting held on 29 October 2019 were signed by the Leader as a correct record.</p>	
<p>52. DECLARATIONS OF INTEREST</p> <p>There were no Declarations of Interest.</p>	
<p>53. QUESTIONS RAISED BY THE PUBLIC UNDER THE COUNCIL'S CONSTITUTION (STANDING ORDERS)</p> <p>No questions were raised under the Council's Constitution (Standing Orders).</p>	
<p>54. TO CONSIDER ANY MATTERS WHICH HAVE BEEN SUBJECT TO CALL-IN</p> <p>There were no matters subject to call in.</p>	

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55. MATTERS ARISING FROM THE POLICY DEVELOPMENT AND PERFORMANCE MONITORING PANELS

There were no matters arising from the Policy Development and Performance Monitoring Panels.

56. Q2 2019-20 PERFORMANCE OVERVIEW REPORT

Consideration was given to the report of the Portfolio Holder for Governance and Customer, which provided an update on how the Council was performing for the period 1 July 2019 to 30 September 2019.

DECISION:

That the contents of the report be noted.

(Other options considered:

- *Do nothing*

Reasons for decision:

- *That the Council's performance is properly scrutinised).*

(The Corporate Innovation, Change and Performance Manager and the Senior Business Intelligence officer left the meeting following discussion of the above item).

57. CAR PARKING ORDER CONSULTATION

Consideration was given to the report of the Portfolio Holder for Place and the Executive Director Place which reviewed and consulted on changes to the South Holland District Council (Off Street Parking Places) (Civil Enforcement) Order 2012.

DECISION:

- a) That the South Holland District Council (Off Street Parking Places) (Civil Enforcement) Order 2012 be amended;
- b) That it be agreed in principle that the South Holland District Council (Off Street Parking Places) (Civil Enforcement) Order 2012 be amended so as to include within the Order the times for which car parking charges applied so as to be consistent within the hours of 8am to 6pm Monday to Saturday for all Spalding car parks listed in Appendix A to the report, with the exception of Herring Lane, Spalding which would continue to be subject to charges from 8am to 8pm;
- c) That the Environmental Services Manager be authorised, in

CP

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consultation with the Portfolio Holder for Place, to:

- i. Finalise the necessary notice of proposal and statement of reasons relating to the proposed amendments to the existing Off-Street Parking Places Order detailed in recommendation 2 above;
 - ii. Undertake the necessary consultation and equality impact assessment in relation to the proposed amendments to the car parking order and report back to the portfolio holder following completion of the consultation process.
- d) That the Portfolio Holder for Place be given delegated authority to consider the results of the consultation on the proposed amendments to the South Holland District Council (Off Street Parking Places) (Civil Enforcement) Order 2012, and the required Equality Impact Assessment, and to determine whether or not to amend the Order, including any non-substantial modifications considered appropriate.

(Other options considered:

- *To do nothing and not change the order. This would mean parking charges could be enforceable all hours, including bank holidays.*

Reasons for decision:

- *To provide consistency and clarity to users of Spalding's car parks;*
- *To reflect in the car parking order as part of the consultation that charges for bank holidays cease*
- *To enable officers to undertake this work alongside the work already being done to amend the South Holland District Council (Off Street Parking Places) (Civil Enforcement) Order 2012, following the previous decision at Cabinet on 29 October 2019); and*
- *To reduce any possible duplication of work and costs for advertising the changes and consulting with the public, and to reduce possible confusion if multiple consultation were to take place in close proximity).*

58. LOCAL COUNCIL TAX SUPPORT SCHEME 2020/21

Consideration was given to the report of the Portfolio Holder for Finance and the Executive Director Commercialisation (S151), which sought Cabinet decision on the final proposals for the 2020/21 Local Council Tax Support Scheme, to be presented to Council on 22 January 2020.

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DECISION:

That the following recommendations be approved and recommended to Council:

RECOMMENDATION TO FULL COUNCIL:

CM, SH

- a) That the scheme be uprated and harmonised as appropriate to the DWP welfare reforms in Housing Benefit, and the prescribed scheme for pensioners for 2020/21 and future years;
- b) That a link to the award of Universal Credit be introduced, removing the need for customers to make a separate application for Council Tax Support;
- c) That a £15 weekly (£65 monthly) tolerance rule for Universal Credit customer change in earnings be introduced; and
- d) That delegation be agreed to the Executive Director Commercialisation, in consultation with the Portfolio Holder for Finance, to approve the final scheme policy in line with the report.

(Other options considered:

- *Continuation of the current scheme into 2020/21, uprated in line with DWP's annual update of allowances and premiums for housing benefit, but not to introduce the link to Council Tax Support, or the tolerance rule for earnings. This would require Universal Credit claimants to continue to make a separate application for Council Tax Support (CTS) to the local authority, and require CTS to be recalculated for all monthly changes in Universal Credit;*
- *Do nothing. This would have the effect of carrying the 2019/20 scheme over to 2020/21 without any changes (other than the prescribed changes for pensioners.*

Reasons for decision:

- *To continue to align the CTS scheme and uprating for working age customer with DWP provisions for Housing Benefit and the CTS scheme for pensioners. This has been consistent each year since the introduction of local Council Tax Support schemes, and if determined for 2020/21 and future years, would remove the need for the decision to be taken each year, however it would not prevent a different decision in future years if desired;*
- *Linking CTS with the award for Universal Credit would make it simpler and more timely for customers to access CTS, preventing delay and potential loss in support (under scheme rules, if an application is made late it can only be backdated*

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for 1 month);

- *Introducing a tolerance for earnings changes would reduce the number of notifications customers received to amend their Council Tax payments, and provide stability for customer repayments whilst at the same time potentially reducing customer contact).*

59. HOUSING REPAIRS AND FITNESS FOR HABITATION POLICY

Consideration was given to the report of the Portfolio Holder for Housing and Health which sought approval for adoption of the Housing Repairs and Fitness for Habitation Policy.

DECISION:

JK, CM

- a) That the Housing Repairs and Fitness for Habitation Policy be approved; and
- b) That amendments to the appendices of the Policy be delegated to the Housing Landlord Services Manager, in consultation with the Portfolio Holder for Housing and Health.

(Other options considered:

- *Do nothing, and continue to operate with the existing policy. However, this would not provide a mechanism for recharging repairs, as outlined in the Housing Income Policy.*

Reasons for decision:

- *The Policy clearly sets out the responsibilities of both the Council as a Landlord, and those of the tenant. It gave the tenant clear expectations that could be managed whilst ensuring there was no ambiguity as to what they were responsible for and what was expected of them as a tenant of the Council;*
- *Adopting the policy would enable the Council to clearly state when a recharge for a repair caused by damage or neglect was applicable, thus allowing recuperation of costs where applicable).*

60. HOUSING INCOME MANAGEMENT POLICY

Consideration was given to the report of the Portfolio Holder for Housing and Health which sought approval of the Housing Income Management Policy.

Members agreed that only the principles of the report be discussed and there was therefore no need for the meeting to go into private session for this item.

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DECISION:

VC, JK

- a) That the Housing Income Management Policy be adopted; and
- b) That amendments to the appendices of the Policy, and minor operational amendments be delegated to the Housing Landlord Services Manager, in consultation with the Portfolio Holder for Housing and Health.

(Other options considered:

- *Do nothing, and continue to operate without policies in place.*

Reasons for decision:

- *To provide an updated policy on income collection and to allow for debt to be written off and chargeable repairs to be charged;*
- *To set out the Council's approach to the collection of housing income within the policy, for officers and residents to refer to; and*
- *To avoid the risk of legal challenge by not having up to date policies regarding income collection in place).*

(The Housing Repairs Manager left the meeting following discussion of the above item).

61. DEBT WRITE OFF - HOUSING BENEFIT OVERPAYMENTS

Consideration was given to the report of the Portfolio Holder for Finance and the Executive Director Commercialisation (S151) which sought approval for the write off of uncollectable Housing Benefit Overpayments.

Members agreed that only the principles of the report be discussed and there was therefore no need for the meeting to go into private session for this item.

DECISION:

SH

- a) That the amounts identified in the report be approved for write off.
- b) That the amounts written off under delegated powers be noted.

(Other options considered:

- *To do nothing.*

Reasons for decision:

- *All recovery methods available had been considered and where appropriate pursued before making the decision to write off;*

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- *Officer time can be maximised on greatest returns, at the same time as ensuring robust procedures for debt management are in place across all revenue streams).*

62. ANY OTHER ITEMS WHICH THE LEADER DECIDES ARE URGENT

There were no urgent items.

63. RESTRICTED MINUTE

Consideration was given to the restricted minutes of the meeting of the Cabinet held on 29 October 2019.

The content of the minutes was not discussed and members agreed that there was therefore no need for the meeting to go into private session for this item.

DECISION:

That the minutes be signed as a correct record.

(The meeting ended at 10.20 am)

(End of minutes)

These minutes are published on **Friday 6 December 2019**. In accordance with the Council's Constitution the DECISIONS detailed above will, unless otherwise stated, come into force and may then be implemented on **Monday 16 December 2019** (i.e. after the expiry of 5 working days from the date of publication of these minutes), unless during that period a notice which is signed by either a Ward Representative (in relation to a matter in their ward) or two members of the Performance Monitoring Panel or any three members, and complies with the requirements of the Council's Constitution is served on the Executive Manager Governance requesting that the decision be called-in and the Executive Manager Governance approves the request for call-in. Where a decision is called-in it will firstly be considered by the Performance Monitoring Panel on a date to be fixed.

Any FINAL DECISIONS and any URGENT DECISIONS take effect immediately.

Any RECOMMENDATIONS TO COUNCIL detailed above will be submitted for consideration to the meeting of the full Council on **Wednesday 22 January 2020**.